REMARKS

Claims 1, 2, 5 and 6 are pending in the present application. By this Amendment, claim 1 has been amended and new claims 7-9 have been added. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated August 10, 2006.

As to the Merits:

As to the merits of this case, the Examiner relies on the newly cited reference of Soga (USP 6,912,002) in setting for the following rejection:

Claims 1, 2, 5 and 6 stand rejected under 35 USC 103 (a) as being unpatentable over Endo et al. (U.S. Patent No. 6,763,182, of record) in view of Soga.

This rejection is respectfully traversed.

According to the present invention, a recording medium has a plurality of folders to store a plurality of image files to each of which a file number is assigned. A selecting operation to select any one of the plurality of folders formed in the recording medium is accepted by an acceptor. A folder selected by the selecting operation is pointed by a first pointer as a record destination folder. Furthermore, a second pointer points to any one of the plurality of folders

formed in the recording medium as a reproducing destination folder, and a third pointer points to any one of the image files stored in the reproducing destination folder.

When a recording instruction is issued, a new image file accommodating photographed image data is written to the record destination folder by a writer. A first changer changes a point destination of the second pointer and a point destination of the third pointer to a point destination of the first pointer and the new image file, respectively, in association with a writing process of the writer.

Herein, the writer includes a detector and an assigner. The detector detects a maximum file number from among the file numbers which are assigned to the image files stored in the record destination folder. The assigner assigns a file number continuous from the maximum file number detected by the detector to the new image file. Furthermore, the assigner can assign the same file number to different folders.

The number of image files stored in each of the folders may be different between the folders. This involves that the maximum file number assigned to an image file within the record destination folder is possibly changed by the selecting operation. In the present invention, the maximum file number is detected from the record destination folder in the course of a writing process of the writer, and a file number continuous from the detected maximum file number is

assigned to a new image file, and therefore, it is possible to secure continuity of the file numbers in each folder.

In contrast, Endo et al. disclose to detect a number from the last file name out of file names of moving image files and still image files listed in an order of recording on a file list within a DRAM so as to assign a file name having a number continuous from the detected number to a newly created moving or still image file.

In this relation, in page 3, line 19-page 4, line 5 of the Office Action, the Examiner asserts:

> Furthermore, the camera of Endo gives a camera user the ability to capture MPG video, however, the camera user can only take JPG still images if desired. Therefore, if the last captured object by the camera was a JPG still image and assigned a number "008" the next subsequent action taken by the camera (if a still image capture) will record the still image into the still image folder and assign the number "009" to the image Endo et al Column 5, lines 23-39. Therefore, the writer (7) includes a detector to detect a maximum file number from among the file numbers which are assigned to the image files stored in the record destination folder, and an assigner to assign a file number continuous from the maximum file number detected by the detector to the new image file.

As described above, however, the number detected by Endo et al. is a number of the last file name described in the file list on the DRAM, and the number assigned to the new image file in Endo et al. is a number continuous from the number detected from the file list. That is, noticed for detecting the number is not the image files accommodated in the record destination folder but the file names listed in the file list which manages the moving image file and the still image file

in a mixed manner. Therefore, Endo et al., if the recording destination folder is changed between a moving image folder and a still image folder, it is impossible to secure continuity of the file numbers in each folder.

As described above, in the present invention, the maximum file number is detected from the record destination folder in the course of a writing process of the writer, and a file number continuous from the detected maximum file number is assigned to a new image file. Accordingly, even if the record destination folder is changed by the selecting operation, it is possible to secure continuity of the file numbers in each folder. That is, a large difference appears between Endo et al. and the present invention with respect to the continuity of the file numbers in each folder because a noticed object for detecting a file number is different from each other.

It is noted that Endo et al. fail to disclose or remotely suggest anything about a constitution of the present invention which changes the record destination folder in response to the selecting operation, detects the maximum file number assigned to an image file within the changed record destination folder, and assigns a file number continuous from the detected maximum file number to a new image file.

Soga discloses in Column 2, line 15-18: The recording medium is determined for each image pickup theme by a user. The recording medium corresponding to the set image pickup

theme is mounted on the digital still camera. This description involves that the recording medium has only one image pickup theme. That is, according to Soga, a plurality of the image pickup themes exists in not the recording medium mounted on the digital still camera but a hard disk of a personal computer. Accordingly, it is believed that the digital camera of Soga is entirely different from the present invention. It is noted that Soga also fails to disclose or remotely suggest anything about the above described constitution of the present invention.

Accordingly, it is believed that it is not possible to reach the present invention from each or a combination of the references, and therefore, the present invention is patentable.

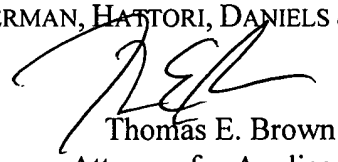
In view of the aforementioned amendments and remarks, Applicants submit that the claims, as amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Thomas E. Brown
Attorney for Applicants
Registration No. 44, 450

TEB/jl

1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100